

REMARKS

Reconsideration of the application is respectfully requested in view of the amendments and the discussion presented below. The amendments are supported by the application as filed and no new matter has been added by any of the amendments.

Claims 33-36, 38, 40-43, and 45 are amended, as described further below. Claims 37 and 44 are now canceled.

Two paragraphs of the specification are amended to correct typographic errors.

Claims 33-36, 38-43, and 45-53 are now present in this application.

Discussion

The Office Action mailed on July 6, 2006 rejected claims 33-53 under 35 U.S.C. 103(a) as being unpatentable over Gormley (U.S. patent 5,513,107) in view of Joao (US 2002/0016655). The Applicants respectfully disagree.

1. Claim 33

Claim 33, as amended, states:

33. A parts management system, comprising a mobile unit and a service center,

wherein the mobile unit comprises:

a collecting device that collects management information related to management of parts of the mobile unit; and

a mobile unit transmitting device that transmits the management information to the service center, and

wherein the service center comprises

a determining device that determines whether or not at least one part required for replacement exists in the parts of the mobile unit based on the transmitted management information;

an acquiring device that acquires part replacement information from parts suppliers related to replacement of at least one part required for replacement, in a case where it is determined by the determining device that at least one part required for replacement exists; and

a service center transmitting device that transmits the part replacement information to the mobile unit,

wherein the mobile unit further comprises a notifying device that notifies the transmitted part replacement information to a user of the mobile unit, the notifying unit including a display device, and

wherein the part replacement information is at least information comprising: first information identifying the at least one part required for replacement; second information identifying a plurality of parts suppliers for supplying the part required for replacement; and third information related to stock status of the part with respect to each of the parts suppliers.

The Examiner admits that Gormley does not teach "an acquiring device that acquires part replacement information from parts suppliers related to replacement of at least one part required for replacement, in a case where it is determined by the determining device that at least one part required for replacement exists." The Examiner asserts that Gormley "suggests the limitation. . . . because Gormley teaches servicing vehicles at a dealer."

Gormley teaches that a service center may contact the operator of a vehicle via his or her vehicle controller 102 of a fault or an imminent fault, or a non-urgent concern, so that "[t]he operator of the vehicle 100 is thus advised to take the vehicle 100 to be serviced if necessary with the urgency of the service being required being reflected in the service notice." Gormley, column 8, lines 45-49. Gormley cannot be said to teach "an acquiring device that acquires part replacement information from parts suppliers related to replacement of at least one part required for replacement, in a case where it is determined by the determining device that at least one part required for replacement exists."

Evidently recognizing the lack of this teaching, the Examiner cites Joao as teaching "a central processing computer (acquiring device) that acquires part replacement information from parts suppliers related to replacement of at least one part required for replacement, in a case where it is determined by the determining device that at least one part required for replacement exists." Joao teaches central processing computer 10 as part of the apparatus 100. In the embodiment of Figure 14, for example, Joao teaches as

follows.

At step 403, the central processing computer will generate a user, owner, or operator, notification message and transmit same to the user, owner, or operator, who or which can utilize the offered repair services, maintenance services, servicing services, parts, equipment, components, and/or accessories. The user, owner, or operator, notification message can contain a contact information for the respective manufacturers, dealers, service providers, repair facilities, service technicians, mechanics, parts providers, equipment providers, components providers, and/or accessories providers. The user, owner, or operator, notification message can also include the price offering from the provider(s) for the respective repair services, maintenance services, servicing services, parts, equipment, components, and/or accessories.

Joao, paragraph [0342].

According to claim 33, as amended, the part replacement information is displayed to the user by “a notifying device that notifies the transmitted part replacement information to a user of the mobile unit, the notifying unit including a display device.” Furthermore, “the part replacement information is at least information comprising: first information identifying the at least one part required for replacement; second information identifying a plurality of parts suppliers for supplying the part required for replacement; and third information related to stock status of the part with respect to each of the parts suppliers.” Neither Gormley nor Joao teaches or suggests these limitations.

To establish a *prima facie* case of obviousness, the Examiner must show: (1) that there is some suggestion or motivation to modify the reference or to combine reference teachings; (2) that there is a reasonable expectation of success; and (3) that the prior art reference or references teach or suggest each and every claim limitation. *See* M.P.E.P. § 2142. Further, the suggestion or motivation to modify or combine and the reasonable expectation of success must both be found in the prior art, and not based on the applicant’s disclosure. The Applicants submit that the Examiner has neither adequately

shown a motivation to combine the references in the manner done by the Examiner nor has the Examiner shown that the asserted combination teaches each and every element of the rejected claim. Therefore, the Applicants submit that the Examiner has not established a *prima facie* case of obviousness based on the cited prior art, and the claim is patentable over the Gormley and Joao references.

The rejection of claim 33 as being unpatentable over Gormley in view of Joao should be withdrawn.

2. Claims 34-36, 38, and 39

Claims 34, 36, 38, and 39 depend directly or indirectly from claim 33. The rejection of these claims as being unpatentable over Gormley in view of Joao should be withdrawn for at least that reason.

Furthermore, claim 34 has been amended to recite that “the part replacement information further comprises at least any of: fourth information related to availability of work with respect to each of the parts suppliers; fifth information related to prices of the part required for replacement with respect to each of the parts suppliers; and sixth information related to labor charges with respect to each of the parts suppliers.” It is submitted that the limitations of claim 34 are not taught or suggested by Gormley in view of Joao.

Still furthermore, claim 35 has been amended to recite that “the part replacement information further comprises seventh information related to incentive information.” It is submitted that the limitations of claim 35 are not taught or suggested by Gormley in view of Joao.

And yet furthermore, claim 36 has been amended to recite that “the moveable unit is a small craft.” It is submitted that the limitations of claim 36 are not taught or suggested by Gormley in view of Joao.

Also, and furthermore, claim 38 has been amended to recite that “the acquiring device acquires the second information of part replacement information for the transmission from the service center.” It is submitted that the limitations of claim 38 are not taught or suggested by Gormley in view of Joao.

The rejection of these claims, and the claim 39 that depends from them, as being unpatentable over Gormley in view of Joao should be withdrawn for at least these

additional reasons.

3. **Claim 40**

Claim 40, as amended, states:

40. A method of managing parts of a mobile unit, comprising
 - collecting, at a mobile unit, management information related to management of parts of the mobile unit;
 - transmitting the management information from the mobile unit to a service center;
 - determining, at the service center, whether or not at least one part required for replacement exists in the parts of the mobile unit based on the transmitted management information;
 - acquiring, at the service center, part replacement information from parts suppliers related to replacement of at least one part required for replacement, in a case where it is determined that at least one part required for replacement exists by said determining;
 - transmitting the part replacement information from the service center to the mobile unit, and
 - notifying, through a display device provided in the mobile unit, the part replacement information thus transmitted to a user of the mobile unit,
 - wherein the part replacement information is at least information comprising: first information identifying the at least one part required for replacement; second information identifying a plurality of parts suppliers for supplying the part required for replacement; and third information related to stock status of the part with respect to each of the parts suppliers.

The Examiner finds claim 40 to be unpatentable over Gormley in view of Joao for the same reasons as for claim 33. Although claim 40 is directed to a method whereas claim 33 is directed to a parts management system, the argument for patentability of claim 40 over Gormley in view of Joao is substantially the same as for claim 33 and the Examiner is referred to the portion of the remarks above that discusses this argument.

The rejection of claim 40 as being unpatentable over Gormley in view of Joao should be withdrawn.

4. Claims 41-43 and 45-53

Claims 41-43 and 45-53 depend directly or indirectly from claim 40. The rejection of these claims as being unpatentable over Gormley in view of Joao should be withdrawn for at least that reason.

In addition, method claims 41, 42, 43, and 45 have been amended to add limitations so as to correspond to systems claim 34, 35, 36, and 38, respectively. It is submitted that the limitations of those claims are not taught or suggested by Gormley in view of Joao.

The rejection of these claims, and the claims that depend from them, as being unpatentable over Gormley in view of Joao should be withdrawn for at least these additional reasons.

Conclusion

The Applicants submit that the application is in condition for allowance and respectfully urge the Examiner to pass this case to issue. The Examiner is respectfully invited to telephone the undersigned attorney as needed in order to advance the examination of this application.

* * *

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the

petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Post Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 6, 2006.

Lonnie Louie
(Name of Person Transmitting)

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(Signature)

November 6, 2006
(Date)

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